

TOWN OF NEW WINDSOR

ZONING BOARD

September 26, 2011

MEMBERS PRESENT:     MICHAEL KANE, CHAIRMAN  
                         PATRICK TORPEY  
                         FRANCIS BEDETTI  
                         RICHARD HAMEL  
                         HENRY SCHEIBLE

ALSO PRESENT:     ANDREW KRIEGER, ESQ.  
                         ZONING BOARD ATTORNEY

                         NICOLE PELESHUCK  
                         ZONING BOARD SECRETARY

**REGULAR MEETING:**

MR. KANE:   I'd like to call the Town of New Windsor  
Zoning Board of Appeals regular session for September  
26, 2011 to order.

APPROVAL OF MINUTES DATED 7/25/11

MR. KANE:   Motion to accept the minutes of July 25,  
2011 as written.

MR. BEDETTI:   So moved.

MR. SCHEIBLE:   Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

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TABLED FROM LAST MEETING:

MOBILE GRAFX SIGN COMPANY - WELLS FARGO (11-23)

MR. KANE: Tonight's first meeting tabled from last meeting Mobile Grafx Sign Company, Wells Fargo variance is required for an additional facade sign. First facade sign is 2.5' x 17' and variance of 7' in width is requested. The second facade sign is 3.5' x 7' and a variance of 1' height is requested at 955 Little Britain Road in an NC zone.

MR. EISENBERG: Good evening, Jonah Eisenberg--

MR. HAMEL: Excuse me, Mike, I'm going to excuse myself from the voting on this.

MR. KANE: Okay.

MR. TORPEY: He owns the company.

MR. KANE: Go ahead.

MR. EISENBERG: Jonah Eisenberg on behalf of U.S. Sign and Wells Fargo Mortgage to request a variance at 955 Little Britain Road for a facade sign 2 1/2 feet high by 17 feet wide and a 7 foot width variance on that facade sign and we seek that facade sign on the side of the building, a foot variance to go to 3 1/2 feet high by 7 feet wide.

MR. KANE: So we're back to questions from the board.

MR. BEDETTI: We had a few people here.

MR. KANE: You guys have any further questions?

MR. BEDETTI: I just have one question regarding was there any alterations since the last meeting?

MR. EISENBERG: I spoke with the, with my client and they just asked me if I could to bring to the board the board's attention what the current banner which is a temporary banner looks like from the road. They asked me to take more photos so I have more photos I want to present to the board. I also took a photo at request of the Two Brothers Deli which is across the street which has a considerably large sign, I'm assuming there's a variance for that as well. I didn't get precise measurements of the Two Brothers Deli across

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the street but it's approximately 21 feet wide and they're actually closer to the road than the Wells Fargo sign would be to the road.

MR. TORPEY: Those building are real similar.

MR. EISENBERG: The distance from the Two Brothers Deli is approximately 45 feet which is almost half the distance that the Wells Fargo sign is from the road frontage and I did include the first two photographs, one from across the street and one from the same side of the street so you can see what the banner looks like from that distance.

MR. SCHEIBLE: And in your discussion with your client did you bring up the manner of the discussion on the, not the front sign but the side sign?

MR. EISENBERG: I indicated to them what was discussed last week and they asked me if we can just keep it, I think you guys said it was going to be voted on separately than the facade sign so they asked me to just keep it, they didn't give me any alterations from that specific sign.

MR. KANE: Any further questions? No further questions, I'll accept a motion and we'll take both signs as separate votes.

MR. KRIEGER: Yes, Frank had requested that they all be done separately and there are three variance requests.

MR. BEDETTI: Actually, three.

MR. KRIEGER: Additional sign, a variance of 7 feet and a variance of 1 foot.

MR. KANE: Okay, so with the first vote, let's go with the first facade sign and a variance of 7 feet in width, that's the one on the front of the building, right?

MR. EISENBERG: Correct.

MR. KANE: So I'll accept a motion on that particular sign.

MR. BEDETTI: I'll make a motion that we grant the variance for the facade sign on the front of the building identified as first facade sign to be 2 1/2

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feet by 17 feet which is a request for a 7 foot width variance.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	ABSTAIN
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: The second one will be--

MR. KRIEGER: I suggest that you take the additional facade sign because if that isn't approved it makes the other one moot.

MR. KANE: So the next vote will be on the allowing of a second facade sign, so you would present that.

MR. BEDETTI: I'll make a motion that we grant an extra facade sign as indicated to be 3 1/2 feet by 7 feet with a request for a 1 foot height variance.

MR. TORPEY: I'll second that.

MR. KRIEGER: Take the, you want to take the 1 foot as the same application?

MR. BEDETTI: No, just for an additional facade sign.

MR. KANE: Need a second.

MR. TORPEY: Second it.

ROLL CALL

MR. SCHEIBLE	NO
MR. BEDETTI	NO
MR. HAMEL	ABSTAIN
MR. TORPEY	AYE
MR. KANE	NO

MR. KANE: So the request for a variance of 1 foot in height on that sign is moot because the sign is not going to be allowed, the second facade sign gets voted down three to one. The variance of 7 foot in width for your first facade sign is granted.

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MR. EISENBERG: Thank you.

MRS. PELESHUCK: This is your next steps with the building department, I'll call you when the permit is ready.

MR. EISENBERG: Thank you very much.

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PRELIMINARY MEETINGS:

JOHN CHANNEL (11-21)

MR. KANE: Preliminary meetings, John Channel, a variance is requested for a proposed deck extension of 8 feet into the side yard setback. This will leave 23.8 feet to the side property line. A variance of 16.2 feet is required at 1036 Rolling Ridge in an R-3 zone. In New Windsor, we hold two meetings, we hold a preliminary meeting and by law everything is settled in a public meeting and the reason we hold a preliminary is so we can make sure we have all the information that we need to make a good decision. Other towns you walk in cold, you don't have it, you lose. So that's why we do a two step proceed. Speak loud enough for the young lady over here to hear you.

MRS. CHANNEL: We're extending our existing deck.

MR. KANE: Name and address?

MRS. CHANNEL: It's Kelly Channel, 1036 Rolling Ridge, New Windsor.

MR. CHANNEL: John Channel, husband.

MRS. CHANNEL: Yes.

MR. KANE: Now you can go.

MRS. CHANNEL: We would like to extend our existing deck, it's 10 by 20 currently and we'd like to extend it to the edge of the house which will make it 35 feet and extend it out which will be the 8 feet is what we'd like to apply for the variance for which is actually our, what we consider our back yard. You consider it our side yard.

MR. KANE: You're on a corner property so you have two front yards. The deck itself is it extending passed the house?

MRS. CHANNEL: No.

MR. KANE: The deck's size, is that going to be similar in size and nature to other decks that are in your neighborhood?

MRS. CHANNEL: Yes.

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MR. KANE: Creating any water hazards or runoffs in the creation of the deck?

MRS. CHANNEL: No.

MR. KANE: Cutting down, obviously I can see from the pictures but I've got to ask the questions, cutting down any substantial vegetation or trees in the building?

MRS. CHANNEL: No, not at all.

MR. KANE: Any easements or right-of-ways going through the area?

MRS. CHANNEL: No.

MR. SCHEIBLE: Is this the party that did not show last week?

MRS. PELESHUCK: Yes.

MRS. CHANNEL: I'm sorry, that was my fault, I forgot.

MR. KANE: Questions gentlemen? No further questions from the board.

MR. BEDETTI: I'll just ask one. Now what's the reason for extending the deck to the end of the house?

MRS. CHANNEL: Just more space, it's so small we can barely fit our porch furniture on it.

MR. BEDETTI: And it's currently?

MRS. CHANNEL: Ten by 20 but we have the bay so it actually cuts down the size of the deck.

MR. KANE: It cuts out?

MRS. CHANNEL: Yes.

MR. BEDETTI: Okay, I'm good.

MR. KANE: I'll accept a motion to set up a public hearing.

MR. HAMEL: I'll make a motion that we schedule a public hearing for John Channel for the variances

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requested.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MRS. PELESHUCK: On the bottom here are your next steps, you could come one or before cause we have a little break in between so--

MRS. CHANNEL: To do the envelopes, okay, thank you.



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BRYAN & BARBARA NOE (11-28)

MR. KANE: Next preliminary meeting Bryan and Barbara Noe, a variance is requested to have boarding, breeding and raising of fowl. The minimum lot area for this request is 5 acres. The existing lot is 0.723 and a variance of 4.277 acres is required at 203 Bethlehem Road in an R-1 zone. Tell us what you want to do, name and address, speak loud enough for this young lady can hear you.

MR. NOE: Bryan and Barbara Noe, Bethlehem Road. We just want to have these animals as pets. My daughter brought them home a year and a half ago and we built a coop and we have been just keeping them.

MRS. NOE: We didn't know that we had to have certain property.

MR. NOE: Down the road's a farm with 63 acres and another with a bunch of acres and we didn't know the zoning so we're asking.

MR. KANE: Honestly, I don't see how this passes. The request is you're three quarters of an acre and you're requesting us to do a variance of four and a quarter acres to put that in, its just too substantial of a request, my opinion on this. I mean, that's not to say you can't go ahead and present your case in a public hearing for the gentlemen and have them vote on it but I think it's going to be a pretty difficult thing to get passed honestly.

MRS. NOE: So we have to get rid of all of them?

MR. KANE: Whatever the town law is under those, yeah, I'm not sure what you're allowed to keep or not keep when it comes to farm animals on a lot that size, that would, you'd have to check with the building department. I'm not sure of the requirements but again, you can present your case to the other gentlemen here too. I'm just being honest up front, I think it's substantial and I just don't see it happening, honestly, I mean, if you were close with the acreage that would be another story, you know, it's just so substantial.

MR. NOE: We didn't know, that's what we found out cause we didn't know, we came to find out, we wanted to do

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things right and we found out the amount, I was kind of surprised, I thought it was kind of much to have a couple chickens in a coop in a yard. I'm going to be honest, I didn't think it was that much, they're not going all over the place, we have them caged up, we have the pictures.

MR. KANE: Again, that's my opinion. You're absolutely welcome to go forward. Questions from the board?

MR. BEDETTI: I have a question. How close is the chicken coop to your property line?

MR. NOE: It's about three to four feet from the line to the coop in between it.

MRS. NOE: Actually, another house next to that before the property line.

MRS. PELESHUCK: You can show them which picture if you'd like. Is there a picture?

MRS. NOE: There should be. See here, this is the back of it but there's another dog house.

MR. BEDETTI: Okay, and what's adjacent, I mean, how close is the next--

MR. NOE: There's a wide rock wall and a fence in the middle of the rock wall and the middle of the rock wall.

MR. BEDETTI: Five feet, 10 feet?

MR. NOE: No, no, four or five feet.

MR. TORPEY: How close is your neighbors?

MR. NOE: He's got 8 acres of property, he's on the other side so he's like maybe 250, 300 feet away from us.

MR. KANE: Cause even then going through that would need a variance too because it's too close to the property line.

MR. BEDETTI: Right, you're supposed to have at least 50 feet between the, whether it be a stable or something that's housing animals.

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MR. NOE: Fifty feet from the property line?

MR. BEDETTI: That's why his point is pretty, your property starts off just small and to have those kind of spacing on a small lot line that is virtually impossible.

MR. TORPEY: Is there a law if he has two or five?

MR. KANE: I don't know that, he would have to check with the building department, I have no idea.

MR. BEDETTI: You have to have five acres no matter how many.

MR. KANE: Yes, it's five acres minimum no matter what.

MR. SCHEIBLE: The word fowl covers a lot of species.

MR. NOE: Yes.

MR. SCHEIBLE: You can have pigeons there, I mean pigeons, chickens, ducks, what do you have?

MR. NOE: Two ducks and 10 hens.

MR. BEDETTI: Your request kind of indicates that you may be interested in breeding them.

MRS. PELESHUCK: No, that's the way the code states it for fowl.

MR. BEDETTI: That's not part of the request?

MR. NOE: No, just requesting to keep them as pets basically cause my 10 year old son's in there with them every day, they're like his buddies, you know.

MR. BEDETTI: I have no other questions.

MR. KANE: Further questions? I'll ask the board to set you up for a public hearing and we can go to the next step. I'll accept a motion to set up for a public hearing.

MR. BEDETTI: I'll make a motion that we schedule a public hearing for Bryan and Barbara Noe for a request to have fowl on an existing lot of .723 acres, request for the variance would be 4.277 acres in an R-1 zone.

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MR. HAMEL: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: Okay, we'll see you at the next public hearing.

MRS. PELESHUCK: These are the next steps. You can come on or before the 11th because we have a holiday.

MR. NOE: Thank you very much.

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PUBLIC HEARINGS:

MARTA & MATTHEW FARRELL (11-24)

MR. KANE: Tonight's first public hearing Marta and Matthew Farrell for a single family dwelling with two kitchens or a two-family house located at 233 Garden Street in an R-4 zone. How you doing?

MR. FARRELL: Good, thank you.

MR. KANE: Speak loud enough for the young lady over there to hear your name and address.

MRS. FARRELL: Marta and Matthew Farrell, 233 Garden Street in New Windsor. And we just want to add a second kitchen downstairs.

MR. KANE: Is the second kitchen existing or you want to add it in?

MRS. FARRELL: Yes, it's existing.

MR. KANE: Going into the house is just one gas and electric meter?

MRS. FARRELL: Yes.

MR. KANE: No separation?

MRS. FARRELL: No, it's my mother lives there.

MR. KANE: Your intent is to use this as a second kitchen in a single family home, not looking to use it as a rentable area or part of a rental area in your home?

MRS. FARRELL: No, strictly for my mother.

MR. KANE: And there's open doors through the home, there's no locked access?

MRS. FARRELL: No.

MR. KANE: And you never intend to use this as a two family or a multi dwelling?

MRS. FARRELL: No.

MR. KANE: Those are the basic questions.

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MR. KRIEGER: It's a one family, it was a one family and will always be a one family?

MRS. FARRELL: Yes.

MR. KRIEGER: And when you sell it, you will sell it as a one family?

MRS. FARRELL: Yes.

MR. FARRELL: Yes.

MR. KANE: We did the one gas meter, we don't have to worry about trees, substantial vegetation, it's an existing thing. No easements, water, we don't have to worry about that, bring it back to the board for further questions.

MR. BEDETTI: Is that a separate entrance to the apartment?

MRS. FARRELL: Yes, separate entrance.

MR. FARRELL: Yes.

MR. KANE: How long has the kitchen been in existence?

MR. FARRELL: Seven.

MR. KRIEGER: Seven years?

MR. FARRELL: Yes.

MR. SCHEIBLE: So your mother lived there for seven years?

MR. FARRELL: Her father lived there and he died so we wanted to get everything done for her.

MR. KANE: Has there been any complaints formally or informally?

MR. FARRELL: No.

MR. KANE: Is there anybody here for this particular hearing that would like to speak? So at this point, I'm going to open it up to the public. Seeing as there's nobody here for this particular hearing, we'll close the public portion of the meeting and bring it

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back to the board for further questions.

MRS. PELESHUCK: On the 23rd day of August, 2011, I mailed out 67 addressed envelopes with no written response back.

MR. KANE: Any further questions? If not, I'll accept a motion.

MR. BEDETTI: I'll make a motion that we grant as an interpretation to Marta and Matthew Farrell for a single family dwelling located on 233 Garden Street in an R-4 zone.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MRS. PELESHUCK: Here's your next steps with the building department. I'll call you when your permit is ready.

MR. FARRELL: Thank you very much.

MR. KANE: Have a good evening, take care.

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JOHN MORIN (11-25)

MR. KANE: Next public hearing John Morin, an existing rear deck does not meet the minimum rear yard setback of 50 feet. A variance of 18 feet is requested at 10 Ash Street in an R-3 zone. Come on up, speak loud enough for this young lady to hear you, state your name and address and tell us what you want to do. Are there people here for this particular hearing?

MR. MORIN: John Morin, 10 Ash Street, New Windsor, New York. I just, I put another, I increased the size of the deck. I had a pre-existing deck there years ago. I had my house resided and I didn't want to pay an extra \$3,000 to side it and basically it was a shambles of a deck, so I took it off, it was off the house for about four years. I finally had enough money to put a new deck on. I didn't think I needed a permit because I had a deck, it was 12 by 14, something of that nature so this is only an extra two or four feet out.

MR. KANE: Was there a permit on the old deck?

MR. MORIN: Yes, so I didn't think I needed another one, I had a permit.

MR. KANE: Did the new deck that you built is that the same size and nature as the old deck?

MR. MORIN: Just a little bit bigger.

MR. KANE: Would you need a new permit?

MR. MORIN: I didn't know that, I've been in town for 25 years, this is the first time ever.

MR. KANE: Most people don't know until they end up here.

MR. SCHEIBLE: Excuse me, just ask you maybe is the new deck same proportion?

MR. MORIN: It's a little bit longer along the house and it's like--

MR. SCHEIBLE: How many feet?

MR. MORIN: It runs to the, six more feet along the house and then it's only four more feet.



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MRS. PELESHUCK: It's wider and longer. The original deck was 10 by 13, this deck is 21 by 16.

MR. KANE: In the building of the deck with the new footage on it, take down substantial vegetation or cut down any trees?

MR. MORIN: No, my wife is a nature loving person, we have had issues with trees in the past with some people.

MR. KANE: Have you created any water hazards or runoff?

MR. MORIN: No.

MR. KANE: Any easements running through the area where the deck is?

MR. MORIN: No.

MR. KANE: Bring it back to the board. Any further questions at the moment?

MR. BEDETTI: Were there any complaints on the old deck?

MR. MORIN: No.

MR. KANE: Formally or informally?

MR. MORIN: No, the complaint was that it looked bad, it was a screened-in porch type thing.

MR. BEDETTI: Is there any hedges or shielding between your deck new or old to the people that live behind you or adjacent to you?

MR. MORIN: It's the same as it was, it's wide open, there's some trees bordering two properties, four or five properties around and then we have a whole corner with nice growth, I guess most of the neighbors like it.

MR. TORPEY: The deck that was on there before was only four by six feet smaller?

MR. MORIN: Something like that.

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MR. TORPEY: It was closed in, it was a screened-in porch?

MR. MORIN: Well, it was all falling, it's a shambles it was at one time but before I ripped it off.

MR. TORPEY: You're not closing it back in?

MR. MORIN: No, just so I can actually enjoy the house. I told you last time the back was had a four, a very dangerous dropoff, a lot of kids come in, my own kids, I couldn't allow them to fall off and get hurt. So I had to put a piece of wood up on the sliding glass door so they couldn't fall, it's a big safety hazard.

MR. TORPEY: So the deck that was on there was horrendous?

MR. MORIN: Yes, so the illusion of having all the space was there but there was something there before.

MR. KANE: Any further questions at the moment? If not, I'm going to take the time to open it up to the public right now. Please state your name and address, come up, ask whatever questions you have and keep it brief. Please do not be repetitive.

MS. CASSIDY: My name is Elizabeth Cassidy with Jacobowitz and Gubits, we're the attorneys for the Pavres (phonetic). I did submit a letter earlier this afternoon by e-mail, I do have additional copies should the board members wish to have one. I don't know if you were able to make photocopies. Just a couple of things, I'm not going to reiterate everything in the letter, I think you guys can read the letter. We are here because this is an illegal deck. When my client questioned about the size of the deck which is 40 percent larger than the existing deck that was taken down several years ago, he was told he had a permit. He came to town to discover there is no permit. There are no drawings on file and he had an opportunity to stop the deck, fix his mistake and move forward. Reviewing the application and I lay out the points in more detail in the letter weighing the five factors in the Town Law, this does not warrant an 18 foot variance.

MR. MORIN: It's not, actually it's--

MR. KANE: You'll get a chance to respond in a minute,

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be polite.

MS. CASSIDY: The purpose of, according to the application, the purpose of this deck is to serve the sliding door which I understand based on the pictures is a swing out door, the applicant hasn't demonstrated that you need that width of deck to achieve the purpose of safely using the sliding door for ingress egress, certainly a more narrow deck would fit the bill. In addition as the building department file reflects it was a 10 by 13 deck just on the back of the house, the new deck which as shown in the pictures now wraps around the back of the house, wraps around the garage so it's a significantly larger more imposing structure for properties that are very close to each other.

MR. KANE: The pictures don't show it wraps around the house.

MS. CASSIDY: Here I have another picture, the deck comes and then you can see it goes around the garage.

MR. KANE: I don't see anything wrapping around a garage. Is it going across the back?

MS. CASSIDY: Should be more clear the house is offset slightly so it wraps around both the house and into the garage.

MR. MORIN: No.

MR. SCHEIBLE: There's an indentation.

MS. CASSIDY: Correct, an indentation.

MR. KRIEGER: Do the other members need to see the picture?

MS. CASSIDY: Notwithstanding that, we don't believe the applicant has met his criteria for awarding a variance. We do believe that the board could award a smaller variance to enable the replacement of the existing deck so that the applicant can have the benefit of the safety use of the sliding door and that the impact to the neighboring property owners particularly Pavres, we respectfully suggest that the board as part of its authority under Town Law condition the approval on appropriate landscaping or screening to again minimize the visual impact on the neighboring property owners. And if the board has any questions,

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I'm happy to answer them.

MR. KANE: The only thing that I have to say without getting into everything that's in here I haven't digested all of it is that as far as the screening there was an existing deck up there for a number of years with no complaints formally or informally about any screening.

MS. CASSIDY: It's a significant increase in size.

MR. TORPEY: He's not screening it in.

MS. CASSIDY: I'm talking about the vegetation screening, not screening in terms of screened-in porch but like the support posts, the structures right now he's looking at a pretty bare bone support.

MR. TORPEY: He got stopped in the middle of the job, he didn't--

MS. CASSIDY: According to my client, work was done as late as last week.

MR. KANE: Doesn't make a difference because if it doesn't get approved, he has to tear it down so whether he wants to work on it is a moot point.

MS. CASSIDY: That's true.

MR. BEDETTI: What's the specific impact that it has on your neighbors, is it a privacy issue?

MS. CASSIDY: It's privacy, it's visual, it's mostly the privacy part, this is now a significantly larger deck very close to the property line, looking at some of these pictures, these pictures are all taken from the property line so you can see how close the deck is.

MRS. PELESHUCK: We do not have those pictures.

MS. CASSIDY: Let me give you that.

MR. KANE: Can you show me in this picture how that's indicating anything about a property line?

MS. CASSIDY: This is the property line here, all the pictures are taken from the back, here's another one, this has been mapped out by a surveyor.

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MR. KANE: The 16 foot coming out from the deck, is that coming off of the back of the house to the back?

MR. MORIN: Yes.

MR. KANE: So that's three feet bigger than what it was before?

MR. MORIN: Yes.

MS. CASSIDY: Six feet bigger.

MR. KANE: Three feet 21, 16, 11, 13 it's longer, not wider, three feet wider, okay, we'll add these into the record.

MR. BEDETTI: One more question, from an aesthetic point of view, did the old deck look so much more pleasing than the new deck?

MS. CASSIDY: Mr. Pavre?

MR. PAVRE: I didn't hear the question.

MS. CASSIDY: In your mind, why don't you stand up and come up here, just so you have an accurate--

MR. PAVRE: Yes.

MS. CASSIDY: Was the old deck more pleasing or the new deck in terms of aesthetics?

MR. PAVRE: The new deck is better because it's new. The old deck was all black in color but the size is only 10 feet wide and 30 feet long, this is now 16 feet wide.

MR. KANE: So it was--

MR. PAVRE: Sixteen feet wide and 21 feet long. We don't mind as she said if it's 10 feet wide but 10 feet is okay but if you can extend the length we understand it now not the other way because it extends into our house with the railings and the steps are huge.

MR. SCHEIBLE: Mr. Pavre, I'm just curious, this is the property line and you're over here?

MR. PAVRE: And we had this, yes.

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MR. SCHEIBLE: Just curious.

MR. PAVRE: This side of the property, yes.

MRS. PELESHUCK: We need a whole packet of the pictures.

MS. CASSIDY: I'm sorry, the large picture?

MRS. PELESHUCK: All the pictures.

MS. CASSIDY: That one I didn't make a copy, I can e-mail it to you.

MR. KANE: Is that all you have to present?

MS. CASSIDY: Yes.

MR. KANE: Okay, thank you.

MR. BEDETTI: Do you have a picture that shows the thing wrapping to the garage? It doesn't quite show it on this one.

MS. CASSIDY: There you go.

MR. BEDETTI: So like a platform?

MS. CASSIDY: Yes.

MR. BEDETTI: Is that a door coming out of the garage?

MS. CASSIDY: I think that's a mud room in between.

MR. SCHEIBLE: Can I address this gentleman here? Is that a breezeway, the door that's coming next to the garage out a breezeway between the garage and the house?

MR. MORIN: And the, on the far side it's not a garage, it's a living room, yes, so their facts are way off.

MR. BEDETTI: Part of the main house.

MR. SCHEIBLE: So there are two entrances going out on to the deck or exits or whatever you want to call it?

MR. MORIN: Yes.

MR. KANE: Okay.

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MS. CASSIDY: Thank you.

MR. KANE: Anybody else to speak for this particular hearing? Seeing as there's not, we'll close the public portion of the hearing and ask how many mailings we had.

MRS. PELESHUCK: On the 13th day of September, 2011, I mailed out 30 addressed envelopes and received no written response back.

MR. KANE: Any further questions from the board at this time? I think what I want to do with this right now is I think I would like to table it and give Andy a chance to review this from the lawyer and go over it and we'll pick it up at the next meeting.

MR. BEDETTI: Mr. Chairman, may I ask the gentleman one more question?

MR. KANE: Absolutely.

MR. BEDETTI: Would you have any objection to putting some shrubbery in the back?

MR. MORIN: Not at all, we're letting it grow on the side to try to provide privacy and they're going to put up a fence so that's why all that stuff is on the ground.

MR. KANE: So let me ask this too, if he decides to put some shrubbery in the back and you're putting up a fence and he's putting up shrubbery at that point you won't see his deck, are there any issues with his deck at this point?

MS. CASSIDY: My client's not installing a fence at this time.

MR. KANE: Has nothing to do with the fence. The question is if this gentleman installs shrubbery that blocks the view do you have an issue with the deck?

MS. CASSIDY: With the width, yes.

MR. KANE: At what point if it's a privacy thing and you have all the shrubbery going up? I'm not following.

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MS. CASSIDY: At 16 feet I think it's, I don't think it matches the standard for a variance. At the narrower width with shrubbery I think it's fine.

MR. KANE: Okay, thank you.

MS. CASSIDY: Thank you.

MR. KANE: At this point the public portion is closed at this point, this is a chance for our lawyer to take a look at the paperwork from the other lawyer to make sure we cover every base and then we'll come back at the next meeting and make a decision.

MR. MORIN: Do I need to get a lawyer?

MR. KANE: No, not going to help you or hurt you at this point so save your money.

MR. BEDETTI: You're accepting a motion?

MR. KANE: Yes.

MR. MORIN: Just for the record, I wasn't working on a deck a week ago.

MR. KANE: Doesn't matter.

MR. BEDETTI: I'll make a motion that we table the vote on John Morin to allow our attorney to review the letters submitted by Jacobowitz and Gubits' attorney, Elizabeth Cassidy on the John Morin application at 10 Ash Street in an R-3 zone.

MR. TORPEY: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KRIEGER: Table it till the next meeting.

MR. BEDETTI: Yes.



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ANTHONY & PATRICIA TARSIO (11-27)

MR. KANE: Next on tonight's agenda is Anthony and Patricia Tarsio variances are needed for a proposed one-family house on a vacant lot located on Foley Avenue in an R-4 zone. Anybody here for this particular hearing? Sign the sheets. Thank you. You're on.

MR. TARSIO: I'm Anthony Tarsio, I currently reside at 608 Union Avenue. I'm here for the variance on Foley Avenue.

MRS. PELESHUCK: Variance for what?

MR. TARSIO: Variance for a single family dwelling.

MR. KANE: Tell us what you want to do.

MR. TARSIO: I'm looking for a variance to put up a single family dwelling. I'm looking to have about 15 feet if you're looking at the front of the property 15 feet to the right and 10 feet to the left. The home is 25 in width and 50 in length, it's about almost 1,700 square feet. There are some plans and everything that are listed on there and a copy of the survey.

MR. KANE: Cutting down trees, substantial vegetation in the building of the proposed house?

MR. TARSIO: Well, there will be some trees cut down and some excavating.

MR. KANE: Creating water hazards or runoffs?

MR. TARSIO: No, sir.

MR. KRIEGER: Any trees that are coming down?

MR. TARSIO: No.

MR. TORPEY: I don't think there's even trees on there.

MR. KRIEGER: He had to remove some trees.

MR. TARSIO: There is a small amount of trees and shrubbery.

MR. KRIEGER: There's nothing special?

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MR. TARSIO: No, sir.

MR. KANE: Any easements running through the area where the proposed home is going to be?

MR. TARSIO: No, sir.

MR. KANE: Is the home going to be on septic, wells being city water, sewer?

MR. TARSIO: As far as I understand it will be town or city.

MR. KANE: Town or city water and sewer?

MR. TARSIO: Yes.

MR. SCHEIBLE: Has this always been an open lot or was there a structure at this point before?

MR. TARSIO: There was nothing ever built on it.

MR. TORPEY: Dumping lot.

MR. SCHEIBLE: It looks like a dumping lot somebody's using it for.

MR. KANE: The proposed home that you're, the home you're proposing to build similar in size and nature to other homes that are in the neighborhood?

MR. TARSIO: I believe so. It's 25 in width and 50 in length, I didn't really go out and try to measure some of the other homes, I didn't want to do anything I shouldn't be doing but we can match it, it's very similar in size.

MR. KANE: Questions gentlemen?

MR. BEDETTI: Is that a one story home, two story?

MR. TARSIO: The plans are currently two story home.

MR. KANE: Square footage?

MR. TARSIO: It's 1,697, just under 1,700.

MR. SCHEIBLE: Basement?

MR. TARSIO: More than likely, yes, we're looking to

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put a basement in really set the foundation in. From what the engineer explained to me, it would be more solid footing for the house to sit on rather than just the dirt itself, if we do a slab it wouldn't be recommended, more of a basement foundation is a proper footing for the house.

MR. BEDETTI: This is a single-family home even though it's two stories?

MR. TARSIO: Yes.

MR. KANE: The garage itself is part of the house?

MR. TARSIO: Yes.

MR. KANE: It's not separate, does that include in the square footage?

MR. TARSIO: Yes.

MR. SCHEIBLE: Is the garage included?

MR. TARSIO: Yes.

MR. KANE: And that's 19 by 18, approximately?

MR. TARSIO: Yes, 19.

MR. KANE: Further questions from the board at this time? If not, I will open the public portion of the meeting and if anybody wants to speak, come on up, state your name and address, ask whatever questions or say what you need to say. Hi.

MS. PEREZ: My name is Erica Perez, I live at 1 Foley Avenue, it would be two doors down from where structure would be built. My issue with this structure being built at the moment is the increase of traffic that has come about on our block, it's a very small little cul-de-sac that was only two homes at one time. I have two children of my own, I'm a foster home and I run a state licensed in-home daycare center. There's school buses that come down there. At the moment, the new tenants that have moved into the existing structure that's on Myrtle Avenue which is attached to this lot just seem to fly down the street and whip around, they don't stop, they don't block, we're having major traffic issues.

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MR. KANE: Two steps back. You said a home is connected to this lot?

MS. PEREZ: The way this lot is is there's an existing structure on Myrtle Avenue where the doors are all off of Myrtle and the lot was originally attached to that structure.

MR. KANE: Is that lot part of any other lot?

MR. TARSIO: No, sir, it's a separate section, block and lot, separate tax I.D. everything.

MR. KANE: It's not connected?

MS. PEREZ: The way it was done before was it was all connected by one property.

MR. TARSIO: It's actually across the street.

MR. KANE: Based on where did you get your information?

MS. PEREZ: We actually looked into purchasing the property ourselves and we were told that it was all connected.

MR. KANE: Not--

MS. PEREZ: That it was always used for parking, it was always used for, it was always connected to that property.

MR. KANE: Connected by people maybe in the neighborhood but it's not legally connected.

MS. PEREZ: Well, the owner who was there was using it as that and like I said at the moment, the increase of traffic we're having trouble with the buses, the buses no longer want to come down there to pick up the children from the daycare. I do have one child who's a special needs child that gets picked up half day and we have almost had car accidents from the tenants whipping around the corner so I'm afraid that if there's another structure, another housing unit that's brought into this area we're going to have yet more traffic, more issues with, you know, the ongoing speeding, anything of that nature.

MR. TORPEY: If there's going to be a house, there's going to be no more turning around, nobody will be

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turning around no more, he's going to take that lot, that lot's not a free turnaround, there's going to be no traffic at the end of the road.

MR. TARSIO: To the right if you would take a right down Foley there's a dead end turnaround down there so cars can, if they were to go right which I believe you can actually turn around in that area there it's easier where you can turn around where the house is on Myrtle Avenue.

MS. PEREZ: They use the turnaround down by my house and they stop but as they're going to pull off I don't know if they're tenants or someone else, they're obviously whipping around and we've had trouble like I said with bus drivers and some of my parents are picking up kids, one of them almost got hit the other day. I'm like my biggest fear is the safety of the children in my care, my children and my neighbors at this point, we do have an elderly woman who's home, she's 100 years old, she just turned 100 and, you know, there's a safety hazard with traffic down there.

MR. TARSIO: I'd like to add if that would be the case then the town police should be possibly notified.

MS. PEREZ: I have.

MR. KANE: I understand your concerns on that but the traffic stuff is not part of our domain, you know, there's nothing we can do to control it or not control it. You have to really complain to the police department and school buses are doing it, I would be on the phone to the bus company, I know my wife would, she'd be down pounding on the door.

MS. PEREZ: School buses aren't speeding, they're doing what I asked them to do. I asked them to never go up that way, come down, make the turn in the circle, stop by the house, I'll have the kids out to you. Like I said, I've called the police several times, they do come on occasion to patrol that area at the time where I tell them the bus will be there but it's not a constant thing.

MR. KANE: Okay.

MS. PEREZ: So I guess that's my biggest concern.

MR. KANE: Thank you. Anybody else wishing to speak?

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Sir?

MR. DICHIAIRO: Thank you, Mr. Chairman, my name is Vincent DiChiaro, Jr. I live at 120 Myrtle Avenue. I live across from I believe it's 119 Myrtle Avenue. In retrospect what this young lady says I counted 14 cars in less than 24 hours coming up that road, nine of them at a high rate of speed going to one particular apartment, okay, staying not less than 10 minutes and taking off again. What they do is they come up then they turn at the corner, they don't go in the circle, this is my 65th consecutive year living there and if any trees or any dirt is taken down it's going to flood my house worse. I have been to the town several times. The banking there, the way Foley Avenue is it puts water on my property.

MR. TARSIO: It currently puts water on?

MR. DICHIAIRO: Yes, it does and I have been to the town and it's going to be a lot worse.

MR. TARSIO: If that would be the case, I would have the property, I would have it graded so the water does not run to your house at all.

MR. DICHIAIRO: It comes off the road from Foley Avenue, I've got pictures to show you.

MR. TARSIO: If it comes off that particular lot that I would make sure that the property is graded properly so no water does run off into your property, I would make every attempt to try to fix if you're having a water problem, I would do everything I can to make sure that it's graded properly and the water runs down Foley so the water should run down the street and into the dead-end cul-de-sac.

MR. DICHIAIRO: It should stay on the south side of the road, it should not come to the north side.

MR. TARSIO: We can fix that with grading right now if it's causing a problem now.

MR. KANE: Are you saying that that specific property has, it is right now causing more water damage?

MR. DICHIAIRO: Are you taking the bank down?

MR. TARSIO: No, the house is going to sit in the

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middle of the property and it's going to sit on top of the land.

MR. DICHiaro: Which way is it facing?

MR. TARSIO: The front of the house is, it will face the road.

MR. DICHiaro: Foley Avenue?

MR. TARSIO: Yes, that would be correct and the house we're not going to dig any of the dirt out, the only dirt dug out is where the foundation sits and the house will sit on top of the dirt itself.

MR. DICHiaro: You're going to put blocks?

MR. TARSIO: Yes, and if you're looking at where the dirt is the first floor will be even with that area so no dirt around that area will be disturbed. If anything, the grading will be done so there's no flooding, my house, house next to it, house is across the street or the house down.

MR. DICHiaro: Well, the house next to it is where Mr. Ed Mastracco (phonetic) he passed away and the water still is coming out of it with his sump pump, it's been like this for years, when a former supervisor Mr. John Petro owned that when that bank and them trees were coming down when Mr. Mastracco was married to Rita Petro that's when part of the bank came down and where his house was going when Mr. Mastracco owned it in the '70s there was a shed there, that's the only property, I know his son used to tinker with cars so he had two race cars in there, I've been here for 65 consecutive years.

MR. KANE: Okay.

MR. TORPEY: That's where the racing started.

MR. DICHiaro: It's not a joke, it's not a joke.

MR. KANE: Anything else you want to add, sir?

MR. DICHiaro: I want to be taken seriously, I don't want any member to be--

MR. TORPEY: I don't know what the house has to do with speeders. Is he going to have--

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MR. DICHiaro: There's no parking.

MR. KANE: We're not going to be yelling in here Pat. Back up, sir, calm down, please.

MR. DICHiaro: They park on both sides of the road, people that go in that one apartment and I've been to the police and something is being done.

MR. KANE: That apartment has nothing to do with the what's going on with this board this morning, this is a Zoning Board of Appeals and we're talking about one piece of property, we can't--

MR. DICHiaro: But I don't think--

MR. KANE: We can't deal with where people park on another piece of property.

MR. DICHiaro: I still think that if trees are taken down with the root system it's going to put more water on the road.

MR. KANE: Okay.

MR. DICHiaro: That's my feeling.

MR. KANE: Duly noted.

MR. DICHiaro: Thank you.

MR. KANE: Would you like to add anything else?

MR. DICHiaro: No.

MR. KANE: Anybody else?

MR. DICHiaro: Thank you for your attention.

MR. KANE: Anybody else to speak? Seeing as there's not, we'll close the public portion of the meeting and ask Nicole how many mailings.

MRS. PELESHUCK: On the 13th day of September, 2011, I composed 32 envelopes and received no written response back.

MR. KANE: Any further questions from the board?



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MR. BEDETTI: I think he may have answered this question, is this a spec house?

MR. TARSIO: No, I'm going to be living there, my wife and I will be living there.

MR. KANE: Okay, any questions, Pat?

MR. TORPEY: No.

MR. KANE: I'll accept a motion at this point, part of the motion I personally would like into part of it is that he will do the grading and that should be part of the motion that he is going to grade, look at the grading so that it's a condition of it as a condition that he does do the grading to help with the water runoff.

MR. TARSIO: Absolutely.

MR. KRIEGER: I think we said graded so the water all goes onto Foley Avenue.

MR. TARSIO: Correct, so that the water apparently from what makes sense the water must now run down into that bank and run to the opposite side of the street of Foley Avenue and down into the home there, I believe if we were to grade it correctly the water will run down and stay along the proper sides of Foley Avenue.

MR. KANE: Okay, public portion is closed, sir.

MR. SCHEIBLE: Is there a storm drain close by that catches all this runoff?

MR. TARSIO: I couldn't say.

MR. KANE: Not according to the people that live there there's no storm drain.

MR. SCHEIBLE: Sometimes they get buried, sometimes you don't see them.

MR. HAMEL: Probably no culvert to divert the water either.

MR. KANE: Ready for a motion.

MR. BEDETTI: I'll make a motion that we grant the variance to Anthony and Patricia Tarsio for a proposed

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one-family house to be located on Foley Avenue in an R-4 zone that requires variances for lot area, width, front yard, side yard, total side yard, rear yard and required frontage as well as developmental coverage and as a condition to that proposal that the developer properly grade the property so the water does not run off his property into one of the neighbors.

MR. KANE: Runs onto Foley Avenue.

MR. BEDETTI: That it runs either down Foley Avenue or appropriately so it doesn't run on the neighbor's property.

MR. TARSIO: Yes, sir understood.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MRS. PELESHUCK: These are your next steps, I need this before I can issue you your permit.

MR. TARSIO: Thank you.

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STEVEN DRABICK (11-26)

MR. KANE: Next public hearing is Steven Drabick, area variances required for proposed used car lot which was a former gas station. The variances requested are for gross lot area, net lot area, rear yard and building height, some conditions are pre-existing, non-conforming as building is existing on site located on 801 Union Avenue in a C zone. Is there anybody here for this particular hearing that's going to want to speak? Did you fill your names out? Thank you.

MR. DRABICK: Good evening, my name is Steve Drabick, licensed land surveyor here representing the owners of the property, TZSS Realty, the Spanos and more importantly the applicant for this proposed use who's also present tonight, Mr. Bonfiglio. At the last meeting, board members had requested if I could obtain some photos of the previous dealership and I had asked Bob about that, he does not have any. The only current dealership that he is operating right now is just a matter of a space for three cars and a repair shop, that's what he's doing right now. But I did persuade him to come this evening so if there's any particular questions involving the actual running of the used car dealership I would ask you to direct it to him. For the benefit of the people that are here tonight for this what we're proposing is a used car dealership on a site that was formerly the Mobile gas station on the corner of Route 207 and 300. Basically, we're utilizing the site as is, there's no proposed new development or expansion of the improvement on the site other than the addition of a flag pole. In addition because of the type of variance we're looking to get here which is one for an insufficient lot area, in this particular zone for this use we're limiting again the use to the portion of the site is developed and also restricting the number of displayed used vehicles that would be allowed on site. Because of its proximity to the intersection and the traffic there we're also going to just utilize one entrance and exit to the site and that would be the entrance that's farthest away from that intersection. The other entrance will be barricaded actually occupied by display cars. I had gone back and looked at allowed uses in the C zone on this particular area and what I did discover was that all of the uses there would require an area variance. Again, we're dealing with an existing lot, existing

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area which is the one variance and existing building and that's set back to the rear property line which is also an existing condition. I also went back and looked at impact wise this particular use on the site and if you do look at all of the allowed uses in the C zone, this is probably one of the least impact uses for this particular area. We feel it's an ideal location, it certainly has enough exposure. I think the issue of getting in and out of the property is certainly manageable. I have been out there on site, there are times when traffic does back up passed this entrance but it's not for any lengthy period of time.

MR. KANE: So there's no building going to be going on whatsoever?

MR. DRABICK: That's correct.

MR. KANE: And the rear yard setback would be a pre-existing condition because the building has been there?

MR. DRABICK: Exactly.

MR. KANE: And the lot's already paved so no more coverage on the ground?

MR. DRABICK: No more coverage. What we're proposing to do obviously is to clean the site up, I don't know if you've seen the photographs but it's been sitting long enough where you've got graffiti, you've got grass coming up through the pavement so all this will be taken care of.

MR. HAMEL: What are your plans for the existing building new facade on it, are you going to paint it, open up a store front, glass or anything?

MR. DRABICK: Bob, would you like to address that?

MR. BONFIGLIO: It already has glass store front window.

MR. TORPEY: The boards are covering everything up now.

MR. DRABICK: Right, but there's glass along the front on the right-hand side from when it was the gas station that's pretty much going to stay the same.

MR. BONFIGLIO: All I do, all I'm going to have is the

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office.

MR. KANE: What about signage?

MR. DRABICK: We proposed two signs for the site that meet the zoning compliance for it, one would be a freestanding sign somewhere up the intersection and the other is a sign along the facade of the building.

MR. KANE: And the signs themselves, they all meet, so there's steady illumination, non-flashing?

MR. BONFIGLIO: Non-flashing and I don't use flags or anything, just to put on the windshield.

MR. KANE: Twenty-four display cars and seven parking spaces if I remember correctly?

MR. BONFIGLIO: Yes.

MR. DRABICK: Seven, you're correct, which is more than what's required in that particular zone for this use with regard to employees.

MRS. PELESHUCK: Also looking to close off, there's two entrances, they're going to close off the one that's closest to the light.

MR. KANE: One entrance, one entrance. Down here where the other entrance is that's going to be closed.

MR. BEDETTI: One closest to the intersection?

MR. KANE: Right, is going to be closed. Okay, at this point, I think what I want to do is bring it, open up the public portion of the meeting, see if there's anybody here that has any questions or would like to speak?

MR. FINLIN: My name is Pat Finlin and I'm the president of Inhalation Therapy Company, we have property that abuts Mr. Bonfiglio and no particular concerns, this was the first notice we received and as a neighbor, I'd like to know what's going on on the property next to ours, you know, basically vacant or vacated right now and I just was able to talk to Steve outside and he informed me a little bit about what's going on. Really a curiosity, I'd like to see a plan.

MR. KANE: Okay.

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MR. FINLIN: I don't know what we're going to be doing to our property so whatever Steve does, whatever we do here is a concern of ours because where he may impact it also.

MR. KANE: Absolutely.

MR. DRABICK: Feel free.

MR. BONFIGLIO: All the tanks were removed.

MR. FINLIN: I watched that. I don't know if this is the forum but can I request of the, of Bob, can I request a set of plans? Is that appropriate?

MR. BONFIGLIO: You mean like that?

MR. FINLIN: Yeah, a lot plan, maybe open up communications, maybe open up communications. It's your business and I certainly don't want to meddle but I do have a sincere interest.

MR. BONFIGLIO: Steve has got them.

MR. FINLIN: So I go through Steve?

MR. BONFIGLIO: Yeah.

MR. KANE: Let me real this back in. Any further questions for the project, against the project?

MR. FINLIN: My first time here, what a nice experience to watch you guys work, common sense and reasonableness.

MR. KANE: Thank you. Some people don't see it that way. Anybody else in the audience that would like to speak or has any questions? We'll close the public portion of the meeting and come back and ask how many mailings we had.

MRS. PELESHUCK: On the 13th day of September, 2011, we mailed how the 12 addressed envelopes and received no written response back.

MR. KANE: Any further questions from the board?

MR. FINLIN: I do have one other question. Would I have been on that mailing list?

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MRS. PELESHUCK: If you're within 500 feet of the property.

MR. FINLIN: This is my first time.

MR. KANE: That's the only mailing you would have gotten.

MRS. PELESHUCK: That's it.

MR. KRIEGER: It would have been the record owner.

MR. FINLIN: This meeting was the only one I would have gotten so one physical response?

MR. KANE: Right, one physical response. The vehicles coming into the lot coming on tractor trailer, flatbed?

MR. BONFIGLIO: No, no, we drive them in.

MR. KANE: Thank you. Answers my only question. Any other questions gentlemen? If not, I'll accept a motion.

MR. BEDETTI: Just wanted to suggest to the gentleman that he's going to get a set of plans but we'll be voting on this issue so if there's something that comes up from those plans at a later date tonight is your opportunity to make any comments positive or negative. This is to the gentleman in the audience.

MR. FINLIN: I understand what you're saying. That's the last thing I want to do. How long are you talking of a delay? I didn't realize when would the next time it come up be?

MR. DRABICK: If I may?

MR. KANE: There's no next time, this is it.

MR. DRABICK: That's not true because based on the vote this evening we do have to go back to the planning board.

MR. KANE: As far as our board that's it, planning is a whole different thing.

MR. DRABICK: We'll be back to the planning board.

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MR. KANE: Basically, we decide if they can do it, they decide how they do it, that's what it comes down to.

MR. TORPEY: Where the flowers go.

MR. FINLIN: How long does the non-conforming last? It's in perpetuity?

MR. KRIEGER: Runs with the land.

MR. KANE: It runs with the land, exactly.

MR. FINLIN: Again, thank you. No, I don't need to have the maps before but I'd just like to see what's going on.

MR. KANE: I will accept a motion.

MR. HAMEL: I'll make a motion that we grant to Steven Drabick the variance as requested.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MRS. PELESHUCK: Here are your next steps with the building department.

MR. DRABICK: Thank you very much.

MR. KANE: Our next meeting is not until October 24.

MRS. PELESHUCK: Yes, we have a holiday.

MR. KANE: Motion to adjourn?

MR. TORPEY: So moved.

MR. HAMEL: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
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MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

Respectfully Submitted By:

Frances Roth  
Stenographer